

REMARKS

In the July 5, 2006 Office Action, claims 1-18 stand rejected in view of prior art, while claims 19 and 20 were objected to for failing to limit further the subject matter of a previous claim and were rejected for failing to indicate and to claim particularly and distinctly the subject matter that Applicant regards as the invention. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the January 20, 2006 Office Action, Applicant respectfully traverses the prior art rejections thereto and has included comments to support the traversals. Further, Applicant has cancelled claims 19 and 20 and added substantially identical claims 22 and 23. Moreover, Applicant has added claims 21 and 24, and has amended claim 12 to correct a typographical error. Thus, claims 1-18 and 21-24 are pending, with claims 1, 12 and 21 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Claim Objections

On page 2 of the Office Action, claims 19 and 20 were objected to for failing to limit further the subject matter of a previous claim. Applicant has cancelled claims 19 and 20, has added method claim 21 that recites steps as required, and has added claims 22 and 23, which are substantially identical to claims 19 and 20. Applicant believes that these claims are correct. Examination and consideration of claims 21-23 are respectfully requested.

Claim Rejections - 35 U.S.C. §112

On page 2 of the Office Action, claims 19 and 20 were rejected under 35 U.S.C. §112, second paragraph. In response, Applicant has cancelled claims 19 and 20, has added method

claim 21 that recites steps as required, and has added claims 22 and 23, which are substantially identical to claims 19 and 20.

Specifically, claim 21 recites active and positive steps delimiting how the use is practiced as required. Applicant believes that the claims now comply with 35 U.S.C. §112, second paragraph. Examination and consideration of claims 21-23 are respectfully requested.

Rejections - 35 U.S.C. § 101

On page 3 of the Office Action, claims 19 and 20 were rejected for not being proper process claims. In response, Applicant has cancelled claims 19 and 20, has added method claim 21 that recites steps as required, and has added claims 22 and 23, which are substantially identical to claims 19 and 20.

Specifically, claim 21 recites active and positive steps delimiting how the use is practiced as required. Applicant believes that claim 21 is a proper process claim. Examination and consideration of claims 21-23 are respectfully requested.

Rejections - 35 U.S.C. § 103

On pages 3-5 of the Office Action, claims 1, 2, 12, and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,527,372 (Choi et al.) in view of U.S. Patent No. 6,431,676 (Asauchi et al.). On page 6 of the Office Action, claims 3 and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Choi et al. in view of Asauchi et al., and further in view of U.S. Patent No. 6,257,687 (Iwamura). On pages 7 and 8 of the Office Action, claims 4 and 5 stand rejected under 35 U.S.C. §103(a) over Choi et al. in view of Asauchi et al., and further in view of U.S. Patent No. 4,908,635 (Iwasawa et al.). On pages 8 and 9 of the Office Action, claim 6 stands rejected under 35 U.S.C. §103(a) over Choi et al. in view of Asauchi et al., and further in view of U.S. Patent Publication No. 2003/0193539 (Umetani et al.). On page 10 of the Office Action, claim 7 stands rejected

under 35 U.S.C. §103(a) as being unpatentable over Choi et al. in view of Asauchi et al. and Iwasawa et al., and further in view of 2003/0193539 (Umetani et al.). On page 11 of the Office Action, claims 8 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Choi et al. in view of Asauchi et al., and further in view of U.S. Patent No. 6,843,548 (Arakawa et al.). On pages 12 and 13 of the Office Action, claims 9, 11, 16, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Choi et al. in view of Asauchi et al., and further in view of U.S. Patent Application Publication 2002/0005873 (Suzuki). On pages 14 and 15 of the Office Action, claims 10 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Choi et al. in view of Asauchi et al., and further in view of U.S. Patent No. 6,488,349 (Matsuo). In response, Applicant respectfully traverses the rejections and has included comments to support the traversals.

Specifically, independent claims 1 and 12 recite a weight measuring section that measures the weight of droplets that have been discharged from the discharge head, and a speed-measuring section that measures the velocity of droplets that have been discharged from the discharged. As seen on pages 3 and 4 of the Office Action, the rejections rely on Choi et al. to disclose a weight measuring section and speed-measuring section. However, referring to column 5, lines 50-53 of Choi et al., Applicants respectfully assert that Choi et al. disclose weight measuring and speed-measuring sections that measure “velocity and a size of ink droplets *in* the printer head” and not the weight and velocity of *discharged* droplets as claimed.

Applicant respectfully asserts that Asauchi et al. are cited to disclose a basic drive waveform storage section and do not disclose or suggest the weight measuring and speed-measuring sections as recited in the independent claims of the present application. Applicant respectfully asserts that Iwamura is cited to disclose a waveform-adjusting section and does

not disclose or suggest the weight measuring and speed-measuring sections as recited in the independent claims of the present application. Applicant respectfully asserts that Iwasawa et al. are cited to disclose a physical property value acquisition section and do not disclose or suggest the weight measuring and speed-measuring sections as recited in the independent claims of the present application. Applicant respectfully asserts that Umetani et al. are cited to disclose a weight measuring section having the limitations of claim 6 of the present application. Applicant respectfully asserts that Umetani et al. fail to disclose or to suggest the speed-measuring section as recited in the independent claims of the present application. Further, Applicant respectfully asserts that Umetani et al. are not properly combinable with Choi et al. with regards to the weight measuring section because Choi et al. teach measuring droplet weight *inside* the printer head in contrast to the recited limitations of the independent claims of the present application, and therefore there is no motivation to combine the references. Even further, Applicant respectfully asserts that Arakawa et al. are cited to disclose a speed measuring section that is configured to compute the velocity of droplets by using the position of the droplets discharged from the discharge head at two different points in time. Applicant respectfully asserts that Arakawa et al. fail to disclose or to suggest the weight measuring section as recited in the independent claims of the present application. Further, Applicant respectfully asserts that Arakawa et al. are not properly combinable with Choi et al. with regards to the speed measuring section because Choi et al. teach measuring droplet speed *inside* the printer head in contrast to the recited limitations of the independent claims of the present application and therefore there is no motivation to combine the references. Even further, Applicant respectfully asserts that Suzuki is cited to disclose a waveform-adjusting section as recited in claims 9, 11, 16, and 18 of the present application and does not disclose or suggest the weight measuring and speed-measuring sections as

recited in the independent claims of the present application. Finally, Applicant respectfully asserts that Matsuo is cited to disclose a waveform-adjusting section as recited in claims 10 and 17 and does not disclose or suggest the weight measuring and speed-measuring sections as recited in the independent claims of the present application.

Clearly this arrangement is *not* disclosed or suggested by the prior art of record. It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art *suggests* the desirability of the modification. Accordingly, the prior art of record lacks any suggestion or expectation of success for combining the patents to create the Applicant's unique arrangement.

Moreover, Applicant believes that the dependent claims are also allowable over the prior art of record in that they depend from independent claims, and therefore are allowable for the reasons stated above. Also, the dependent claims are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not disclose or suggest the invention as set forth in independent claims, the prior art of record also fails to disclose or suggest the inventions as set forth in the dependent claims.

Therefore, Applicant respectfully requests that this rejection be withdrawn in view of the above comments and amendments.

New Claims - 21-24

Applicant has added new claims 21-24. Claim 21 is a method claim that is similar to claim 12. Thus, Applicant believes that claim 21 is allowable for the reasons stated above. Further, claims 22 and 23 depend on claim 21 and are believed to be allowable for similar reasons. Moreover, claims 22 and 23 are believed to be further allowable because they include additional limitations. Claim 24 depends on claim 1 and believed to be allowable for

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the reasons stated above, and is believed to be further allowable because it includes additional limitations. Examination and consideration are requested.

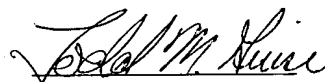
Prior Art Citation

In the Office Action, an additional prior art reference was made of record. Applicant believes that this reference does not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1-18 and 21-24 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


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